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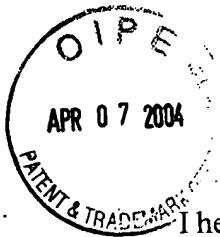
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P.O. Box 1450
Alexandria, Virginia 22313-1450**

on April 5, 2004

H. Chin Barnhill
Hui Chin Barnhill

In Re Application of: Ayazi, et al.

Group Art Unit: 2811

Serial No.: 10/632,176

Examiner: To be assigned

Filed: July 31, 2003

For: CAPACITIVE RESONATORS AND METHODS OF FABRICATION

The following is a list of documents enclosed:

- Return Postcard
- Response to Decision on Petition Under 37 CFR 1.47(a)
- Petition for Correction of Inventorship of Patent Application (37 CFR 1.48(a))
- Petition Under 37 CFR 1.183 to Waive 37 CFR 1.48(a)(2) Requirement
- Declaration for Patent Application
- Assignee's Consent to Correction of Inventor Under 37 CFR 1.48(a)
- Exhibits A-D
- Credit Card Authorization Form (Amount: \$260.00)

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



~~DAE~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Ayazi, *et al.*

Serial No.: 10/632,176

Filed: July 31, 2003

Group Art Unit: 2811

Examiner: To be assigned

Docket No. 062020-1440

For: **Capacitive Resonators and Methods of Fabrication**

RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. §1.47(a)

Mail Stop Petitioner, Commissioner for Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In a Decision on Petition dated February 5, 2004 from the Office of Petitions, a Petition Under 37 C.F.R. §1.47(a) was dismissed for failure to meet requirement number 4 under C.F.R. §1.47(a). In particular, the Decision on Petition cites the following:

Regarding the fourth requirement above, Petitioner has not submitted adequate proof that diligent efforts have been made to locate the non-signing inventors. *As petitioner has set forth that the non-signing joint inventor cannot be reached, petitioner is required to establish that a diligent effort was made to locate the non-signing inventor.* Although Petitioner has proven that he conducted several online searches, it is noted that the final page of the employment agreement (entitled "Georgia Institute of Technology, Personal Data Form") contains a name, address, and phone number in the D.C. Metropolitan area and lists this person as the emergency contact for the non-signing inventor. It would seem that the first step in undertaking a diligent effort to locate this non-signing inventor would be to attempt to make contact with this individual, as it is highly likely that he or she might be apprised as to the whereabouts of the non-signing inventor. Unfortunately, it does not appear that this individual was contacted.

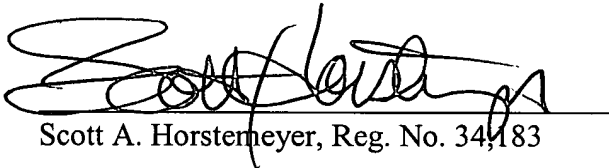
04/08/2004 CNGUYEN 00000093 10632176

01 FC:1460

130.00 OP

Applicants respectively submit that the Petition Under 37 C.R.F. § 1.47(a) to accept the filing of the application made on behalf of the co-inventor who cannot be found or reached after diligent effort is **rendered moot**. Applicants had initially named Seong Yoel No as a joint inventor, who Applicants contend cannot be found or reached after diligent effort. Applicants have determined upon further investigation that Seong Yoel No was added as an inventor in error, and that the error in inventorship occurred without deceptive intent. Accordingly, Applicants submit a new declaration under 37 C.F.R. § 1.48(a), herein enclosed, and respectfully request that the original filing date of July 31, 2003 be preserved.

Respectfully submitted,



Scott A. Horstemeyer, Reg. No. 34,183

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

Practitioner's Docket No. 062020-1440

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ayazi, et al.

Group Art Unit: 2811

Serial No.: 10/632,176

Examiner: To be assigned

Filed: July 31, 2003

For: **Capacitive Resonators and Methods of Fabrication**

**Mail Stop Petition, Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450**

**PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT APPLICATION
(37 C.F.R. § 1.48(a))**

1. This is a petition for correction of error in a

(check the appropriate item below)

- ☒ misjoinder
☐ nonjoinder

of inventor(s) in the above issued patent. It is respectfully requested that the PTO correct the error in inventorship.

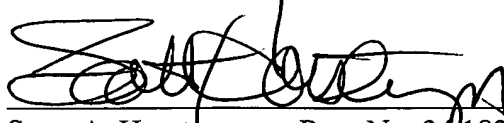
2. Enclosed herewith is (37 C.F.R. §1.48(a) and MPEP 201.03):

- ☒ A petition under 37 C.F.R. §1.183 with fee to waive the requirement for a statement from the person who is being deleted as an inventor since he cannot be reached;
- ☒ A declaration by the actual inventors as required by §1.63 or as permitted by §§1.42, 1.43, or 1.47; and
- ☒ The written consent of the assignee.

3. The fee required (37 C.F.R. §1.17(h) and (i)) is paid as follows:

- ☐ Enclosed is a check for \$ _____
☐ Charge Deposit Account 20-0778 \$ _____
☒ Payment by credit card (Form PTO-2038 enclosed) in the amount of \$260.00

Respectfully submitted,



Scott A. Horstemeyer, Reg. No. 34,183

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of:

Ayazi, *et al.*

Serial Number: 10/632,176

Filed: July 31, 2003

Title: **Capacitive Resonators and Methods of
Fabrication**

Attorney Docket No. 062020-1440

**PETITION UNDER 37 C.F.R. § 1.183 TO WAIVE
37 C.F.R. § 1.48 (a)(2) REQUIREMENT**

**Mail Stop Petition, Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450**

Dear Sir (s):

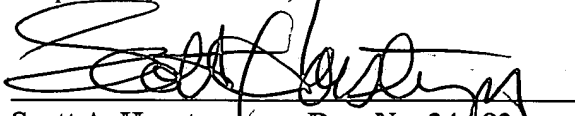
AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

REMARKS

Applicants respectfully request that the requirement of 37 C.F.R. § 1.48 (a)(2) that a statement from each person being deleted as an inventor be provided and that the statement include the assertion that his deletion was through error without deceptive intent be waived. Applicants have attempted to contact Seong Yoel No, as evidenced by Applicants prior petition under 37 C.F.R. § 1.47, which was denied. The prior petition was denied for failure to contact the emergency contact listed in the employment agreement for Seong Yoel No. Applicants did attempt to contact by phone the emergency contact, and found the phone number to be disconnected as alleged in the denied petition. Further, Applicants have attempted to mail the emergency contact two letters on March 30th and March 31st, 2004 by overnight mail. Enclosed herein is Exhibit A for the letter requiring a signature by the recipient and Exhibit B for the letter that does not require a signature by the recipient. Also attached are FedEx tracking sheets in Exhibit C and D corresponding to the tracking of the two letters, which shows that a person by the name of N. Romero, which is not the name of the person listed in the employment agreement as the emergency contact, was the person whom signed for the letter on April 2. Applicants have also not heard from the person listed as an emergency contact or Seong Yoel No. Thus, Applicants allege upon information and belief that Seong Yoel No is unavailable to provide a statement per 37 C.F.R. § 1.48 (a)(2), and thus respectfully request the acceptance of the required fee and respectfully request waiver of the requirement under 37 C.F.R. § 1.48 (a)(2). If, in the opinion of the Examiner, a telephonic conference would expedite the resolution of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



Scott A. Horstemeyer, Reg. No. 34,183

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

**DECLARATION FOR PATENT APPLICATION**Attorney Docket No: **062020-1440**

As the below named inventor(s), I/we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention **CAPACITIVE RESONATORS AND METHODS OF FABRICATION**, the specification of which:

- ☐ is attached hereto.
☒ was filed on as **July 31, 2003** Application Serial No. **10/632,176**.
☐ was filed on _____ under U.S. Express Mail No. _____.
☐ is set forth in PCT International Application No. _____;
filed on _____ and as amended Under PCT Article 19 on _____ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/we hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: **NOT APPLICABLE**.

I/we hereby appoint all attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

24504

Please address all telephone calls, in the first instance, to **Scott A. Horstemeyer** at telephone number: (770) 933-9500.

Address all correspondence to:

Scott A. Horstemeyer
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W., Suite 1750
Atlanta, Georgia 30339-5948

Docket No. 062020-1430

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Farrokh AyaziResidence: 1130 Piedmont Avenue, #612, Atlanta, Ga. 30309 Citizenship: IranPost Office Address: same as above

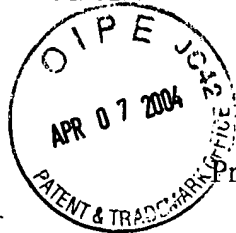
Inventor's Signature: _____

Farrokh Ayazi

Date: _____

4/2/04

Full Name of Second Inventor: **Siavash Pourkamali Anaraki**Residence: **Sahel Apts. A, Piroozan Shomali St., Hormozan St., Shahrak Gharb,
Tehran, Iran, 14666**Citizenship: **Iran**Post Office Address: **same as above**Inventor's Signature: S. PourkamaliDate: 04, 02, 2004



Practitioner's Docket No. 062020-1440

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ayazi, et al.

Group Art Unit: 2811

Serial No.: 10/632,176

Examiner: To be assigned

Filed: July 31, 2003

For: **Capacitive Resonators and Methods for Fabrication**

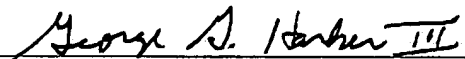
Mail Stop Petition, Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**ASSIGNEE'S CONSENT TO CORRECTION OF
INVENTOR UNDER 37 C.F.R. § 1.48(A)**

Dear Sir (s):

Georgia Tech Research Corporation, as assignee for application having serial number 10/632,176, hereby consents to the correction of inventorship provided in the Petition Under 37 C.F.R. 1.48 (a) for the same application. Further, I hereby submit that my signature below represents that I have the authority to act on behalf of Georgia Tech Research Corporation.

Sincerely,


George G. Harker III, Ph.D
Director, Office of Technology Licensing
Georgia Tech Research Corporation

TKHR

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

ATTORNEYS AT LAW

100 Galleria Parkway, NW
Suite 1750
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933
www.tkhr.com

David Rodack
(770) 933-9500 ext. 298

e-mail: david.rodack@tkhr.com

March 30, 2004

Il Yong No
6001 Knollwood Drive, #104
Falls Church, Virginia 22041

Via Federal Express

RE: U.S. Utility Patent Application and Inventorship

Dear Il Yong No:

You were listed as an emergency contact in the Georgia Tech employment agreement for Seong Yoel No. Seong was erroneously listed as an inventor on an application for patent, and we need to contact him in order to correct this mistake. We need to contact him before April 5th, so your immediate response is respectfully requested. Please contact me with information that would enable us to contact Seong Yoel No at 770-933-9500 or you can email me at david.rodack@tkhr.com.

Sincerely,

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, LLP


David Rodack

SAH/DR/mrm

From: Origin ID: (770)933-9500
MARY R MEEGAN
THOMAS, KAYDEN, ET AL
100 GALLERIA PARKWAY, SUITE 1700

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#104
Falls Church, VA 22041

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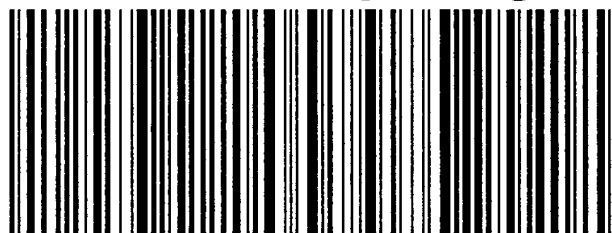
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THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

ATTORNEYS AT LAW

100 Galleria Parkway, NW
Suite 1750
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933
www.tkhr.com

David Rodack
(770) 933-9500 ext. 298

e-mail: david.rodack@tkhr.com

March 31, 2004

Il Yong No
6001 Knollwood Drive, #104
Falls Church, Virginia 22041

Via Federal Express

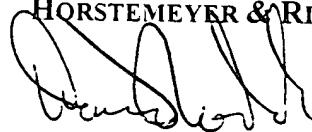
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Sincerely,

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, LLP



David Rodack

SAH/DR/mrm

From: Origin ID: (770)933-9500
MARY R MEEGAN
THOMAS, KAYDEN, ET AL
100 GALLERIA PARKWAY, SUITE 1700

ATLANTA, GA 30339



SHIP TO: (770)933-9500

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6001 Knollwood Drive
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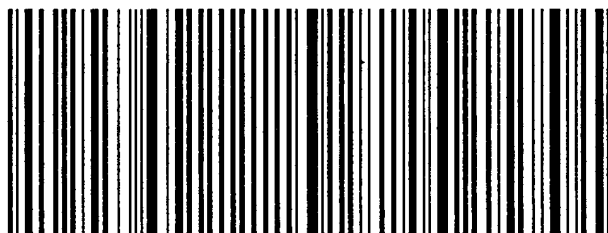
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